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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 98-385-H)

PATENT

In re Application of: Hauptmann et al. )  
)  
Serial No.: 09/899,422 )  
)  
Filed: July 3, 2001 )  
)  
For: TNF Receptors, TNF Binding )  
Proteins and DNAs Coding For Them )

Before the Examiner: E. O'Hara

Group Art Unit: 1646

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the second rejection in the Official Action mailed June 2, 2004 of Claims 1, 23, 41, 42, 45-48, and 50-53 pending in the above-identified patent application.

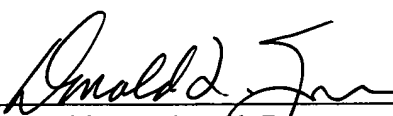
The Commissioner is authorized to charge \$330.00 for filing a Notice of Appeal under 37 C.F.R. § 1.191(a), pursuant to 37 C.F.R. § 1.17(b), to Deposit Account No. 13-2490.

If Examiner O'Hara believes it to be helpful, she is invited to contact the undersigned representative by telephone at 312-913-0001.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

Dated: December 2, 2004

By:

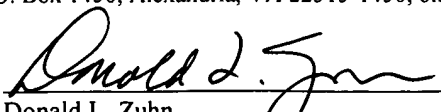
  
Donald L. Zuhn, Ph.D.  
Reg. No. 48,710

12/07/2004 LWONDIM1 00000009 132490 09899422

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 2, 2004.

  
Donald L. Zuhn



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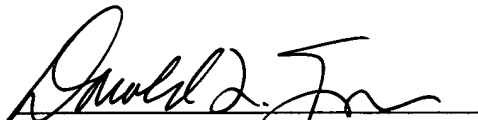
**TRANSMITTAL LETTER**

1. We are transmitting herewith the attached papers for the above-described patent application:  
Notice of Appeal and return postcard.
2. GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES: Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 2, 2004.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

Dated: December 2, 2004

By:

  
Donald L. Zuhn, Ph.D.  
Reg. No. 48,710